

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**October 1, 1998**

DIVISION ONE

B111274     Barbara M. Rudin                     (Not for Publication)

v.

Dan E. Rudin

The judgment on the bifurcated issue of characterization of disability benefits is affirmed.

Masterson, J.

We concur:   Ortega, Acting P.J.  
                   Dunn, J. (Assigned)

B115332     L.A. Web Offset Printing, Inc.

v.

Premier Media, Inc., et al.

The order under review is affirmed.

Masterson, J.

We concur:   Vogel (Miriam A.), Acting P.J.  
                   Dunn, J. (Assigned)

DIVISION TWO

B117034      Kwak, et al.                      (Not for Publication)  
                 v.  
                 Hahn, et al.

The judgment is affirmed. Costs to respondent.

Zebrowski, J.

We concur: Fukuto, Acting P.J.  
                 Nott, J.

B117652      Zarringhalam, et al.                      (Not for Publication)  
                 v.  
                 D' Amato

The judgment is affirmed.

Zebrowski, J.

We concur: Fukuto, Acting P.J.  
                 Nott, J.

B107815      People                                      (Not for Publication)  
                 v.  
                 Garcia

The Court:

The judgment is affirmed. The Clerk of the Superior Court is directed to prepare a corrected abstract of judgment reflecting the trial court's imposition of a restitution fine in the sum of \$100, and to send a copy of the corrected abstract to the Department of Corrections.

Fukuto, Acting P.J., Nott J., Zebrowski, J.

## DIVISION TWO (Continued)

B115235 People (Not for Publication)  
v.  
Shedrick

The Court:

The portion of the judgment imposing a permanently staying four 1-year enhancements under Penal Code section 667.5, subdivision (b), is reversed. The matter is remanded to the trial court with direction to either impose four unstayed 1-year enhancements under Penal Code section 667.5, subdivision (b), or to state on the record the court's reasons for permanently staying (striking) any of those enhancements that the court determines should be permanently stayed. In all other respects, the judgment is affirmed.

Boren, P.J., Nott, J., Zebrowski, J.

B117337      People                          (Not for Publication)  
v.  
Duru

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The Court:

The judgment is modified to provide for the penalty assessments set forth in Penal Code section 1464 and Government Code section 76000, and the minute order of sentencing proceedings shall be amended to so reflect. In all other respects, the judgment (order granting probation) is affirmed.

Fukuto, Acting P.J., Nott, J., Zebrowski, J.

October 1, 1998-Continued

## DIVISION TWO (Continued)

[illegible]

The judgment is affirmed.

Zebrowski, J.

We concur:   Fukuto, Acting P.J.  
                      Nott, J.

B118113      People  
v.  
Long

(Not for Publication)

The Court:

The judgment is affirmed.

Boren, P.J., Nott, J., Zebrowski, J.

B119941 People (Not for Publication)  
v.  
Sloan

The Court:

The judgment is affirmed.

Fukuto, Acting P.J., Nott, J., Zebrowski, J.

### October 1, 1998-Continued

## DIVISION TWO (Continued)

B107881      Soliz, et al.      (Certified for Partial Publication)  
v.  
Great Western Bank, et al.

The judgment appealed from is affirmed. All parties to bear their own costs.

Zebrowski, J.

We concur:   Fukuto, Acting P.J.  
                      Nott, J.

DIVISION FIVE

B111371 William P. Eisen, et al. (Not for Publication)  
v.  
Bette Jean Jones, et al.

The judgment is affirmed. Respondents Betty Jean Jones and Northern Trust of California are awarded their costs on appeal.

Grignon, J.

We concur: Turner, P.J.  
Armstrong, J.

## DIVISION SIX

B091631 People (Not for Publication)  
v.  
Fredman

The judgment is affirmed.

Gilbert, J.

We concur: Stone, P.J.  
Yegan , J.

October 1, 1998-Continued

## DIVISION SIX (Continued)

[illegible]

The judgment is affirmed.

Coffee, J.

We concur: Stone, P.J.  
Gilbert, J.

B116718 Preferred Risk Mutual  
Insurance Company (Certified for Publication)  
v.  
Reiswig

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B121606 People (Not for Publication)  
v.  
Berrios

The judgment is affirmed.

Yegan, J.

We concur: Stone, P.J.  
Coffee, J.

## October 1, 1998-Continued

DIVISION SIX (Continued)

B118004      Terry C.                                (Not for Publication)  
v.  
Maria D.  
Adoption of Michael I., a minor

The judgment dismissing David's adoption action is affirmed. Terry is awarded his costs on appeal.

Stone, P.J.

We concur:   Gilbert, J.  
                      Yegan, J.

B115534      Messano                          (Not for Publication)  
v.  
Everson, et al.

The judgment is affirmed. Costs are awarded to Messano.

Stone, P.J.

We concur: Gilbert, J.  
Coffee, J.

B114730 People (Not for Publication)  
v.  
Coe

The portion of the judgment finding true appellant's prior felony conviction for robbery in the state of Illinois is reversed. The case is remanded to the trial court for retrial to determine the truth of that prior conviction allegation. In all other respects, the judgment is affirmed.

Stone, P.J.

We concur: Gilbert, J.  
Yegan, J.

DIVISION SEVEN

Court convened at 9:00 A.M.

Present: Lillie, P.J., Johnson, J., Woods, J., Neal, J., Boland, J. (Assigned), and Emma Jean Amos, Deputy Clerk.

Each of the following:

B110463 People v. Chen  
B114019 People v. Baltazar  
B114499 People v. Martinez  
B114980 People v. Young  
B115628 People v. Vasquez  
B115756 People v. Barranco  
B115857 People v. Almeida  
B116100 People v. Bell  
B116255 People v. Shirley  
B116699 People v. Figueras  
B116952 People v. Payne  
B117503 People v. Castillo  
B117988 People v. Tzul  
B118060 People v. Isaac  
B118711 People v. Murillo  
B118894 People v. Harris  
B118981 People v. Hill  
B119364 People v. Logan  
B119466 People v. Parker  
B120117 People v. Lucky  
B120258 People v. Swan  
B118383 DCFS v. Kim F.  
B124113 Jennifer C. v. SCLA  
B113624 People v. Hernandez  
B120819 DCFS v. Karen S.  
B112876 Piccard Financial Group v. DSL Service Co.

Argument waived, cause submitted.



DIVISION SEVEN (Continued)

B113273     Crozier  
              v.  
              County of Los Angeles

Merits:

Argued by Michael J. Phelan for appellant and appearance only by Steven Resnick for respondent. Cause submitted.

B119257     Mason  
              v.  
              Westminister Investments

Merits:

Argued by Michael W. Mason appellant in propria persona and no appearance by respondent. Cause submitted.

B117997     Valez  
              v.  
              Fox

Merits:

Argued by Matthew L. Kinley for appellant and appearance only by Stephen Culp for respondent. In open court additional briefing allowed by both parties within 5 days. Cause will be submitted after filing of last brief.

DIVISION SEVEN (Continued)

B116114     People  
              v.  
              Thomas

Merits:  
Argued by Christine C. Shaver for appellant and by Susan C. Diamond,  
deputy attorney general, for respondent. Cause submitted.

The Court resesses.

The Court reconvened at 10:00 A.M.

Present: Lillie, P.J., Johnson, J., Woods, J., Neal, J., Boland, J. (Assigned), and Emma  
Jean Amos, Deputy Clerk.

B112777     People  
              v.  
              Lopez, Zamora and Gomez

Argument continued to November 5, 1998, at 9:00 a.m.

B100720     Webb  
              v.  
              State of California

Oral argument continued to November 5, 1998, at 10:00 a.m.

B111670     Ervin  
              v.  
              Nationas Title Insurance

Merits:  
Argued by John Hosack for appellant and by Hartley David Alley for  
respondent. Cause submitted.

DIVISION SEVEN (Continued)

B110230     Arkway  
              v.  
              Matzner

Merits:  
Argued by William Dewolfe for appellant and by Joseph Wyatt for  
respondents. Cause submitted.

B123856     Venina C.  
              v.  
              S.C.L.A.  
              (DCFS, r.p.i.)

Oral argument continued to November 5, 1998, at 10:00 a.m.

Court recessed at 11:00 A.M.

The Court reconvened at 2:00 P.M.

Present: Lillie, P.J., Johnson, J., Woods, J., Neal, J., Boland, J. (Assigned), and Emma  
Jean Amos, Deputy Clerk.

B115325     Lazo-Rudelis  
              v.  
              Santa Fee Railroad Co.  
              (Luckett, et al.)

Merits:  
Argued by James E. Blancarte for appellant and by Warren L. Gilbert for  
respondent. Cause submitted.

DIVISION SEVEN (Continued)

B121012     Ruby Tuesday, Inc.  
              v.  
              Calif. State Board of Equalization

Merits:  
Argued by George Takenouchi, deputy attorney general, for appellant and  
by Jeffrey B. Valle for respondent. Cause submitted.

B108869     Phillips  
              v.  
              City of Los Angeles

Merits:  
Argued by Edi M.O. Faal for appellant and by Dennis Walsh for  
respondent. Cause submitted.

Court adjourned at 3:17 p.m.

B099423     Rigdon  
              v.  
              Winston

Filed order denying petition for rehearing.

B112247     People  
              v.  
              Fields

Filed order denying petition for rehearing.